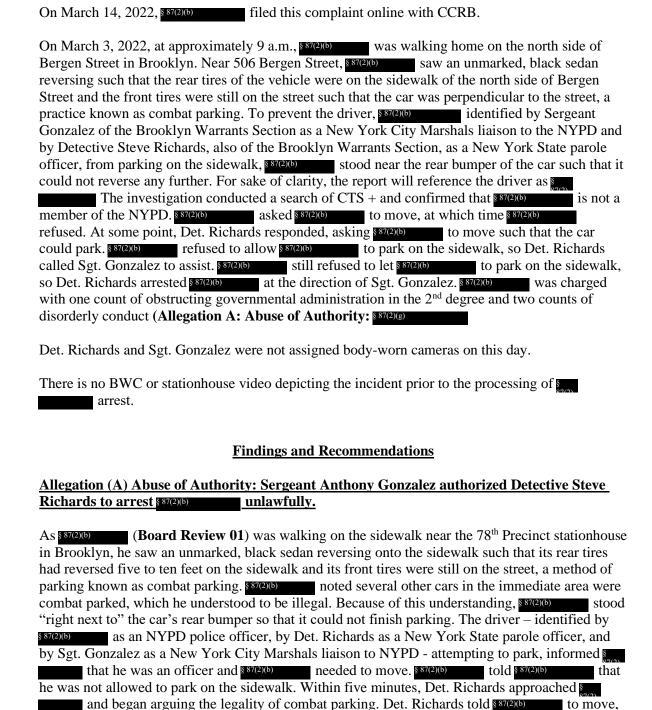
CCRB INVESTIGATIVE RECOMMENDATION

Investigator:		Team:	CCRB Case #:	☐ For	rce 🔲	Discourt.	U.S.
Dillon Bezehertny		Squad #11	202201592	✓ Ab	use 🔲	O.L.	☐ Injury
Incident Date(s)	Location of Incident:			18 Mo. SOL		OL	Precinct:
Thursday, 03/03/2022 9:20 AM		506 Bergen Street			9/3/2023		78
Date/Time CV Reported		CV Reported At:	How CV Reported:	Dat	e/Time Red	eived at CC	RB
Mon, 03/14/2022 5:26 PM		CCRB On-line website		Mo	n, 03/14/20	1	
Complainant/Victim	Type	Home Address					
Subject Officer(s)	Shield	TaxID	Command				
1. SGT Anthony Gonzalez	01564	934943	WARRSEC				
Witness Officer(s)	Shield N	o Tax No	Cmd Name				
1. DT3 Steve Richards	02920	937372	WARRSEC				
2. SGT Pagiel Clark	02947	953759	078 PCT				
Officer(s)	Allegatio	on .			Investig	ator Recor	nmendation
A . SGT Anthony Gonzalez	Abuse: Sergeant Anthony Gonzalez authorized Detective Steve Richards to arrest \$87(2)(b) unlawfully.						

Case Summary



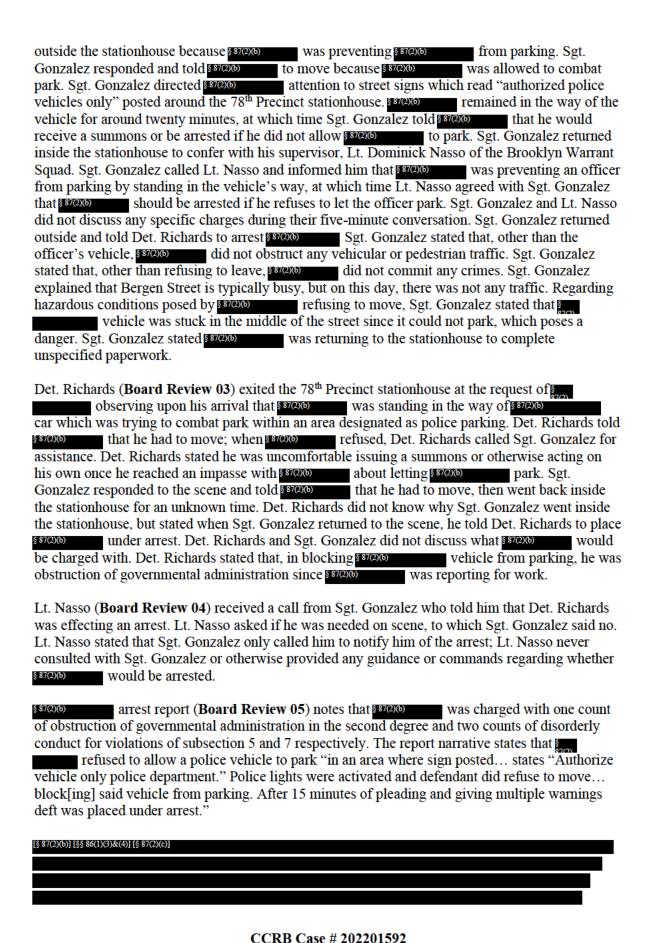
Sgt. Gonzalez (Board Review 02) received a call from Det. Richards requesting his assistance

78th Precinct stationhouse. Seven to ten minutes later, Sgt. Gonzalez approached \$87(2)(6)

inside the 78th Precinct stationhouse for arrest processing.

but \$87(2)(b) refused. At some point, Sgt. Gonzalez approached \$87(2)(b) stating that if \$100 did not move, he would be arrested. Sgt. Gonzalez immediately walked back towards the

told him he was being arrested. \$37(2)(6) was placed in handcuffs and escorted by Det. Richards



[§ 87(2)(b)] [§§ 86(1)(3)&(4)] [§ 87(2)(c)]

An officer may make an arrest without a warrant when that officer has reasonable cause to believe an offense was committed in their presence <u>Patrol Guide Procedure 208-01</u> (**Board Review 07**). A person is guilty of obstructing governmental administration when they intentionally obstruct, impair, or pervert the administration of law or other governmental function or attempts to prevent a public servant from performing an official function by means of physical interference or by means of any independently unlawful act <u>New York State Penal Law § 195.05</u> (**Board Review 08**). A person is guilty of subsections 5 and 7 of disorderly conduct when, with intent to cause public inconvenience, annoyance, or alarm, they obstruct vehicular or pedestrian traffic and create a hazardous or physically offensive condition by any act which serves no legitimate purpose <u>New York State Penal Law § 240.20</u> (**Board Review 09**).

It is undisputed that parking. It is also undisputed that was attempting to combat park within the perimeter of the "authorized police vehicles only" area surrounding the 78th Precinct stationhouse.
Sgt. Gonzalez acknowledged that save was not obstructing any vehicular or pedestrian traffic. § 87(2)(2)
Though Sgt. Gonzalez testified that Lt. Nasso told Sgt. Gonzalez should be arrested, Lt. Nasso denied providing consultation, guidance, or commands regarding the arrest of during their phone call. Sgt. Gonzalez and Det. Richards were consistent in stating that Sgt. Gonzalez told Det. Richards to arrest sage was sage of the sage
Civilian and Officer CCRB Histories • \$137(2)(0)

CCRB CTS – Confidential Page 3

- § 87(2)(b)
- Sgt. Gonzalez has been a member of service for 18 years and has been a subject in 8 CCRB complaints and 14 allegations, of which one was substantiated (**Board Review 14**):
 - o CCRB Case 200606112 involved a substantiated allegation of physical force. The NYPD imposed instructions.

Mediation, Civil, and Criminal Histories

This complaint was not suitable for mediation.

[§ 87(2)(b)] [§§ 86(1)(3)&(4)] [§ 87(2)(c)]

• As of August 19, 2022, the New York City Office of the Comptroller has no record of a Notice of Claim being filed regarding this incident (**Board Review 15**).

Squad: <u>11</u>			
Investigator:	Dillon Bezehertny Signature	Investigator Bezehertny Print Title & Name	11/23/2022 Date
Squad Leader:	Edwin Pena Signature	IM Edwin Pena Print Title & Name	11/23/200 Date
Reviewer:	Signature	Print Title & Name	Date